

ESTTA Tracking number: **ESTTA752222**

Filing date: **06/14/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Seven For All Mankind, LLC
Granted to Date of previous extension	06/15/2016
Address	4440 E. 26th Street Vernon, CA 90058 UNITED STATES
Attorney information	Paul J. Kennedy PEPPER HAMILTON LLP 3000 Two Logan Square Eighteenth and Arch Streets Philadelphia, PA 19103-2799 UNITED STATES kennedyp@pepperlaw.com, catalant@pepperlaw.com Phone:215-981-4194

Applicant Information

Application No	86762250	Publication date	02/16/2016
Opposition Filing Date	06/14/2016	Opposition Period Ends	06/15/2016
Applicant	DOPE AND DAPPER 5985 UNIVERSITY AVE SAN DIEGO, CA 92115 UNITED STATES		

Goods/Services Affected by Opposition

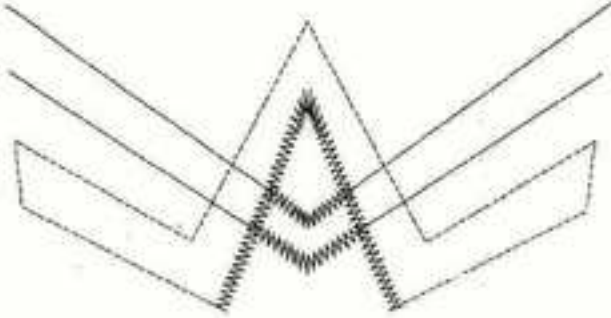
Class 025. First Use: 0 First Use In Commerce: 0
All goods and services in the class are opposed, namely: Athletic shorts; Baseball caps and hats; Bermuda shorts; Board shorts; Bomber jackets; Boxer shorts; Denims; Dress pants; Headwear; Men's dress socks; Men's socks; Sweaters; T-shirts

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	2927764	Application Date	04/16/2003
Registration Date	02/22/2005	Foreign Priority Date	NONE
Word Mark	NONE		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2002/12/00 First Use In Commerce: 2002/12/00 clothing, namely, pants [, shorts, jackets and skirts]

Attachments	78238552#TMSN.png(bytes) 06-14-2016 Notice of Opposition - SFAM v. Dope and Dapper.pdf(874677 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Paul J. Kennedy/
Name	Paul J. Kennedy
Date	06/14/2016

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

SEVEN FOR ALL MANKIND, LLC

Opposer

v.

DOPE AND DAPPER LLC

Applicant

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Opposition No.

Mark: V and Design

Application Serial No. 86/762250

Published in *Official Gazette*: February 16, 2016

Filed: September 20, 2015

NOTICE OF OPPOSITION

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Dear Sir/Madam:

Seven For All Mankind, LLC, a California limited liability company, with offices at 4440 East 26th Street, Vernon, California 90058 (“Opposer”), believes it will be damaged by the issuance of a trademark registration to Dope and Dapper LLC, a California limited liability company, with an address at 5985 University Avenue, San Diego, California 92115 (“Applicant”), for the mark V and Design (Serial No. 86/762250) in International Class 25, and hereby opposes the application.

As grounds for the opposition, Opposer alleges that:

1. Applicant is seeking to obtain, under the provisions of the Trademark Act of 1946, as amended, registration on the Principal Register of the mark V and Design (Serial No. 86/762250) (“Applicant’s Mark”) for “athletic shorts; baseball caps and hats; Bermuda

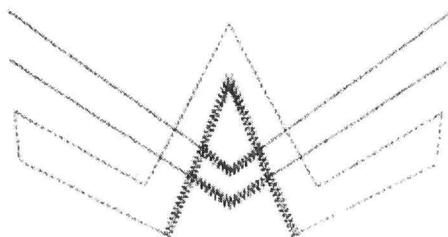
shorts; board shorts; bomber jackets; boxer shorts; denims; dress pants; headwear; men's dress socks; men's socks; sweaters; t-shirts” in International Class 25.

2. Applicant’s mark is described as three horizontal lines connected with an upside down letter “V” to three more horizontal lines, as reflected below:



3. Applicant is not now, and never was, entitled to registration on the Principal Register of Applicant’s Mark, either on September 20, 2015, the date of Applicant's filing of the intent-to-use based application, or on February 16, 2016, the date of publication in the *Official Gazette*.

4. Opposer is the owner of the federal trademark registration (Reg. No. 2927764) for the trademark design for “clothing, namely pants” in International Class 25, as reflected below, and has used the mark since at least as early as December 2002:



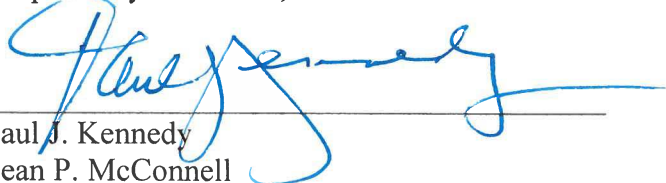
(“Opposer’s Mark”). A true and correct copy of Opposer’s Mark from the TSDR report is attached hereto as Exhibit “A.”

5. Opposer has, since long prior to the filing date of Applicant's application, sold in commerce in the United States its products using Opposer's Mark. Through usage by Opposer, Opposer's Mark has become well-known to customers and potential customers as a trademark of Opposer, and as an origin and source of the goods sold and provided by Opposer.

6. The design of Applicant's Mark is nearly identical to that of Opposer's Mark. Both marks contain a dominant peak, or upside "V" as described by Applicant. Both marks contain three horizontal lines emanating from this center peak. Because Applicant is offering for sale various items of apparel in the same classification as Opposer, Applicant's Mark is likely to cause confusion, mistake, or deception amongst the general and consuming public as to whether Applicant's goods are being offered by, or in affiliation with, Opposer causing damage to Opposer.

7. Accordingly, Opposer requests that registration of Applicant's Mark (Serial No. 86/762250) be denied to Applicant and this opposition be sustained.

Respectfully submitted,



DATE: June 14, 2016

Paul J. Kennedy
Sean P. McConnell
PEPPER HAMILTON LLP
3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, PA 19103-2799
Tel.: (215) 981-4000
Fax: (215) 981-4750
Email: kennedyp@pepperlaw.com
mcconnells@pepperlaw.com

*Attorneys for Opposer,
Seven For All Mankind, LLC*

EXHIBIT “A”

Generated on: This page was generated by TSDR on 2016-06-14 08:32:26 EDT

Mark:



US Serial Number: 78238552

Application Filing Date: Apr. 16, 2003

US Registration Number: 2927764

Registration Date: Feb. 22, 2005

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Feb. 07, 2015

Publication Date: Jun. 22, 2004

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Color(s) Claimed: Color is not claimed as a feature of the mark.

Lining and Stippling Statement: The stippling shown in the drawing is a feature of the mark and is not intended to indicate color.

Design Search Code(s): 26.17.12 - Chevrons; Angles (geometric)

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (...) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: clothing, namely, pants [, shorts, jackets and skirts]

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 2002

Use in Commerce: Dec. 2002

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Seven For All Mankind, LLC

Owner Address: 4440 East 26th Street
Vernon, CALIFORNIA 90058
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country CALIFORNIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Christine Hernandez

Attorney Primary Christine Hernandez@vfc.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Christine Hernandez
Name/Address: VF Intellectual Property Services, Inc.
3411 Silverside Rd.
200 Hanby Bldg.
Wilmington, DELAWARE 19810
UNITED STATES

Phone: 3024773930

Correspondent e-mail: Christine Hernandez@vfc.com Sharon Bart@vfc.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 07, 2015	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Feb. 07, 2015	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76985
Feb. 07, 2015	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76985
Feb. 07, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76985
Jan. 26, 2015	TEAS SECTION 8 & 9 RECEIVED	
Jan. 20, 2015	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 20, 2015	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 12, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Mar. 11, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Feb. 18, 2011	TEAS SECTION 8 & 15 RECEIVED	
Feb. 08, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 08, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 23, 2009	REVIEW OF CORRESPONDENCE COMPLETE	76293
Dec. 19, 2008	PAPER RECEIVED	
May 21, 2008	NOTICE OF SUIT	
Nov. 28, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Nov. 16, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Nov. 29, 2006	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 22, 2005	REGISTERED-PRINCIPAL REGISTER	
Sep. 21, 2004	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Jul. 15, 2004	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jun. 22, 2004	PUBLISHED FOR OPPOSITION	
Jun. 02, 2004	NOTICE OF PUBLICATION	
Apr. 16, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 30, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 30, 2004	PAPER RECEIVED	
Oct. 31, 2003	NON-FINAL ACTION MAILED	
Oct. 30, 2003	ASSIGNED TO EXAMINER	76840

Maintenance Filings or Post Registration Information

Affidavit of Section 8 - Accepted
Continued Use:

Affidavit of Section 15 - Accepted
Incontestability:

Renewal Date: Feb. 22, 2015

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Feb. 07, 2015

Assignment Abstract Of Title Information

Summary

Total Assignments: 11

Registrant: L'Koral, Inc.

Assignment 1 of 11

Conveyance: SECURITY INTEREST

Reel/Frame: 3005/0102

Pages: 11

Date Recorded: Jan. 10, 2005

Supporting assignment-tm-3005-0102.pdf
Documents:

Name: L'KORAL INCORPORATED

Legal Entity Type: CORPORATION

Assignor

Execution Date: Dec. 30, 2004

State or Country CALIFORNIA
Where Organized:

Assignee

Name: AVENUE SPECIAL SITUATIONS FUND III, LP, AS ADMINISTRATIVE AGENT

Legal Entity Type: LIMITED PARTNERSHIP

State or Country DELAWARE
Where Organized:

Address: 535 MADISON AVENUE
14TH FLOOR
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: CHRISTOPHER H. DORE

Correspondent Address: 190 S. LASALLE ST.
MAYER BROWN ROWE & MAW LLP
CHICAGO, IL 60603

Domestic Representative - Not Found

Assignment 2 of 11

Conveyance: GRANT OF SECURITY INTEREST

Reel/Frame: 3056/0042

Pages: 25

Date Recorded: Feb. 14, 2005

Supporting assignment-tm-3056-0042.pdf
Documents:

Name: L'KORAL INCORPORATED

Legal Entity Type: CORPORATION

Assignor

Execution Date: Dec. 30, 2004

State or Country CALIFORNIA
Where Organized:

Assignee

Name: THE CIT GROUP/COMMERCIAL SERVICES INC.

Legal Entity Type: CORPORATION

State or Country NEW YORK
Where Organized:

Address: 300 S. GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071

Correspondent

Correspondent Name: FEDERAL RESEARCH COMPANY, LLC

Correspondent Address: PENELOPE J.A. AGODOA
1030 15TH STREET, NW
SUITE 920
WASHINGTON, DC 20005

Domestic Representative - Not Found

Assignment 3 of 11

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 3135/0322

Pages: 5

Date Recorded: Feb. 28, 2005

Supporting Documents: assignment-tm-3135-0322.pdf

Name: L'KORAL, INC.

Legal Entity Type: CORPORATION

Assignor

Execution Date: Feb. 11, 2005

State or Country Where Organized: CALIFORNIA

Assignee

Name: SEVEN FOR ALL MANKIND

Legal Entity Type: DELAWARE LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 2650 FRUITLAND AVENUE
VERNON, CALIFORNIA 90058

Correspondent

Correspondent Name: JANE SHAY WALD, ESQ.

Correspondent Address: IRELL & MANELLA LLP
1800 AVENUE OF THE STARS
SUITE 900
LOS ANGELES, CA 90067

Domestic Representative - Not Found

Assignment 4 of 11

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 3086/0826

Pages: 5

Date Recorded: May 09, 2005

Supporting Documents: assignment-tm-3086-0826.pdf

Name: L'KORAL, INC.

Legal Entity Type: CORPORATION

Assignor

Execution Date: Feb. 24, 2005

State or Country Where Organized: CALIFORNIA

Assignee

Name: SEVEN FOR ALL MANKIND

Legal Entity Type: DELAWARE LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 2650 FRUITLAND AVENUE
VERNON, CALIFORNIA 90058

Correspondent

Correspondent Name: JANE SHAY WALD, ESQ.

Correspondent Address: IRELL & MANELLA LLP
1800 AVENUE OF THE STARS
SUITE 900
LOS ANGELES, CA 90067

Domestic Representative - Not Found

Assignment 5 of 11

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: 3041/0274

Pages: 8

Date Recorded: Mar. 08, 2005

Supporting Documents: assignment-tm-3041-0274.pdf

Name: AVENUE SPECIAL SITUATIONS FUND III, LP,
AS ADMINISTRATIVE AGENT

Legal Entity Type: LIMITED PARTNERSHIP

Name: L'KORAL INCORPORATED

Legal Entity Type: CORPORATION

Address: 5170 SOTO STREET
VERNON, CALIFORNIA 90058

Assignor

Execution Date: Mar. 02, 2005

State or Country Where Organized: DELAWARE

Assignee

State or Country Where Organized: CALIFORNIA

Correspondent

Correspondent Name: CHRISTINE WILSON

Correspondent Address: 1750 K STREET, NW
SUITE 200
WASHINGTON, DC 20006

Domestic Representative - Not Found

Assignment 6 of 11

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: 3047/0476

Pages: 6

Date Recorded: Mar. 16, 2005

Supporting Documents: assignment-tm-3047-0476.pdf

Name: THE CIT GROUP/COMMERCIAL SERVICES,
INC.

Legal Entity Type: CORPORATION

Name: SEVEN FOR ALL MANKIND, LLC

Legal Entity Type: LLC

Address: 2650 FRUITLAND
VERNON, CALIFORNIA 90058

Assignor

Execution Date: Mar. 02, 2005

State or Country Where Organized: NEW YORK

Assignee

State or Country Where Organized: DELAWARE

Correspondent

Correspondent Name: CBC COMPANIES DBA FEDERAL RESEARCH

Correspondent Address: 1030 FIFTEENTH STREET, NW, SUITE 920
ATTN: PENELOPE J.A. AGODOA
WASHINGTON, DC 20005

Domestic Representative - Not Found

Assignment 7 of 11

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 3039/0831

Pages: 8

Date Recorded: Mar. 07, 2005

Supporting Documents: assignment-tm-3039-0831.pdf

Name: SEVEN FOR ALL MANKIND, LLC

Assignor

Execution Date: Mar. 04, 2005

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DELAWARE
Where Organized:

Assignee

Name: ABLECO FINANCE LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DELAWARE
Where Organized:

Address: 299 PARK AVENUE, 23RD FLOOR
NEW YORK, NEW YORK 90071

Correspondent

Correspondent TERESA L. MCNALLY
Name:

Correspondent 515 SOUTH FLOWER, 25TH FLOOR
Address: LOS ANGELES, CA 90071

Domestic Representative - Not Found

Assignment 8 of 11

Conveyance: SHORT FORM OF TRADEMARK SECURITY AGREEMENT

Reel/Frame: 3046/0148

Pages: 6

Date Recorded: Mar. 14, 2005

Supporting assignment-tm-3046-0148.pdf
Documents:

Assignor

Name: SEVEN FOR ALL MANKIND, LLC

Execution Date: Mar. 04, 2005

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DELAWARE
Where Organized:

Assignee

Name: CONGRESS FINANCIAL COPORATION (WESTERN)

Legal Entity Type: CORPORATION

State or Country CALIFORNIA
Where Organized:

Address: 251 SOUTH LAKE AVENUE
SUITE 900
PASADENA, CALIFORNIA 91101

Correspondent

Correspondent CHRISTINE WILSON
Name:

Correspondent 1750 K STREET, NW
Address: SUITE 200
WASHINGTON, DC 20006

Domestic Representative - Not Found

Assignment 9 of 11

Conveyance: CORRECTIVE SECURITY INTEREST OF REEL 003039 FRAME 0831

Reel/Frame: 3047/0465

Pages: 8

Date Recorded: Mar. 16, 2005

Supporting assignment-tm-3047-0465.pdf
Documents:

Assignor

Name: SEVEN FOR ALL MANKIND, LLC

Execution Date: Mar. 04, 2005

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DELAWARE
Where Organized:

Assignee

Name: ABLECO FINANCE LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DELAWARE
Where Organized:

Address: 299 PARK AVENUE, 23RD FLOOR
NEW YORK, NEW YORK 10171

Correspondent

Correspondent PAUL HASTINGS JANOFKY & WALKER LLP
Name:

Correspondent 515 SOUTH FLOWER STREET, 25TH FLOOR
Address: LOS ANGELES, CA 90071

Domestic Representative - Not Found

Assignment 10 of 11

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: 3656/0977

Pages: 8

Date Recorded: Nov. 05, 2007

Supporting Documents: assignment-tm-3656-0977.pdf

Assignor

Name: WACHOVIA CAPITAL FINANCE CORPORATION
(WESTERN)

Execution Date: Aug. 31, 2007

Legal Entity Type: CORPORATION

State or Country CALIFORNIA
Where Organized:

Assignee

Name: SEVEN FOR ALL MANKIND, LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DELAWARE
Where Organized:

Address: 4440 EAST 26TH STREET
VERNON, CALIFORNIA 90023

Correspondent

Correspondent BARBARA KOLSUN
Name:

Correspondent 25 WEST 39TH STREET, 13TH FLOOR
Address: NEW YORK, NEW YORK 10018

Domestic Representative - Not Found

Assignment 11 of 11

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: 3667/0145

Pages: 9

Date Recorded: Nov. 05, 2007

Supporting Documents: assignment-tm-3667-0145.pdf

Assignor

Name: ABLECO FINANCE LLC

Execution Date: Aug. 31, 2007

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DELAWARE
Where Organized:

Assignee

Name: SEVEN FOR ALL MANKIND, LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DELAWARE
Where Organized:

Address: 4440 EAST 26TH STREET
VERNON, CALIFORNIA 90023

Correspondent

Correspondent BARBARA KOLSUN
Name:

Correspondent 25 WEST 39TH STREET, 13TH FLOOR
Address: NEW YORK, NEW YORK 10018

Domestic Representative - Not Found

Proceedings

Summary

Number of 1
Proceedings:

Type of Proceeding: Extension of Time

Proceeding Number: 78238552

Filing Date: Jul 15, 2004

Status: Terminated

Status Date: Sep 21, 2004

**Interlocutory
Attorney:**

Defendant

Name: L'Koral, Inc.

Correspondent JANE SHAY WALD
Address: IRELL & MANELLA LLP
1800 AVENUE OF THE STARS STE 900
LOS ANGELES CA , 90067
UNITED STATES

Associated marks

Mark

Application Status

Serial Number

**Registration
Number**

Renewed

78238552

2927764

Potential Opposer(s)

Name: Alpha Industries, Inc.

Correspondent Dana O. Lynch
Address: Whiteford, Taylor & Preston L.L.P.
Seven Saint Paul Street
Baltimore MD , 21202
UNITED STATES

Correspondent e-mail: dlynch@wtplaw.com

Prosecution History

Entry Number

History Text

Date

Due Date

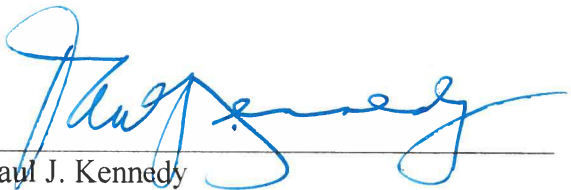
1	INCOMING - EXT TIME TO OPPOSE FILED	Jul 15, 2004	
2	EXTENSION OF TIME GRANTED	Jul 15, 2004	

CERTIFICATE OF SERVICE

I, Paul J. Kennedy, hereby certify that on June 14, 2016, a true and correct copy of the foregoing Notice of Opposition was served via electronic mail (odaymia@dopeanddapper.com) and U.S. First Class Mail, postage prepaid, upon the following:

Omar Daymia
Dope and Dapper LLC
5985 University Avenue
San Diego, CA 92115-6339

Applicant



Paul J. Kennedy